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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/151,666	09/11/1998	WILLIAM M. SEAL	BS100/177618	8180

24504 7590 10/21/2004

THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP  
100 GALLERIA PARKWAY, NW  
STE 1750  
ATLANTA, GA 30339-5948

EXAMINER
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MEINECKE DIAZ, SUSANNA M

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 10/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



**37 CFR § 1.105 - Requirement for Information**

1. Applicant's response to the previous Requirement for Information under 37 CFR § 1.105 is sufficient; however, it contains materials that have raised further questions.

The Examiner contacted attorney Jeffrey Kuester on October 12, 2004 to inquire about this supplemental information to answer these questions. Mr. Kuester requested that the Examiner issue another formal Requirement for Information under 37 CFR § 1.105 in order to clarify what supplemental information was required as well as to give him sufficient time to obtain a thorough response from the Applicants and assignee. A new Requirement for Information under 37 CFR § 1.105 follows.

2. Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application.

3. The information is required to complete the background description in the disclosure by documenting details of the functionality of the Job Management Operation System (JMOS), the Mechanized Time Reporting (MTR) system, and the interface between the two systems, as disclosed in the background on pages 1-3. In the response filed on May 24, 2004, Applicant provided two documents explaining the features of the JMOS and MTR systems. These documents are referred to as "Operations Systems Job Management Operations System (JMOS) System Description" (Appendix A) and "a document describing the MTR system" (Appendix B).

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Applicant admits that the "JMOS system and the MTR system were known and used by others more than one year before the filing date of the present disclosure, which is September 11, 1998." (Page 2 of Applicant's response filed May 24, 2004) The instant application claims priority back to September 11, 1997; therefore, the Examiner requests more specific dates regarding the earliest public disclosure, use, and/or sale of JMOS and MTR in order to assess whether or not JMOS and MTR qualify as prior art. Also, are the documents cited as Appendices A and B indicative of features of JMOS and/or MTR as they were publicly disclosed, used, and/or sold prior to Applicant's earliest prior date of September 11, 1997? What are the publication dates of each reference? What version/features of JMOS and MTR existed more than one year prior to Applicant's earliest priority date of September 11, 1997? On page 3 of Applicant's response (filed May 24, 2004), Applicant outlines three specific improvements of the claimed invention over JMOS and MTR. Are these distinctions based on a comparison with JMOS and MTR as they existed more than one year prior to Applicant's earliest priority date of September 11, 1997? If not, how does the claimed invention distinguish itself from the versions of JMOS and MTR that existed more than one year prior to Applicant's earliest priority date of September 11, 1997? In summary, the Examiner requests all information necessary to assess JMOS and MTR (and the various versions, i.e., various features incorporated over time, thereof) as prior art in relation to the claimed invention.

4. The fee and certification requirements of 37 C.F.R. § 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 C.F.R. § 1.105 that are included in the applicant's first complete communication responding to this requirement.

5. Any supplemental replies subsequent to the first communication responding to this requirement and any information disclosures beyond the scope of this requirement under 37 C.F.R. § 1.105 are subject to the fee and certification requirements of 37 C.F.R. § 1.97.

6. The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the applicant does not have or cannot readily obtain an item of required information, a statement that the item is unknown or cannot be readily obtained will be accepted as a complete response to the requirement for that item.

7. This requirement is subject to the provisions of 37 C.F.R. §§ 1.134, 1.135 and 1.136 and has a shortened statutory period of 2 (TWO) months. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susanna M. Diaz whose telephone number is (703) 305-1337. The examiner can normally be reached on Monday-Friday, 9 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703)308-1113.

Any response to this action should be mailed to:

**Commissioner for Patents  
P.O. Box 1450  
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or faxed to:

**(703)305-7687** [Official communications; including  
After Final communications labeled  
"Box AF"]

**(703)746-7048** [Informal/Draft communications, labeled  
"PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 22202, 7<sup>th</sup> floor receptionist.



Susanna M. Diaz  
Primary Examiner  
Art Unit 3623  
October 14, 2004



TARIQ R. HAFIZ  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600